



**City of Seattle**  
Edward B. Murray, Mayor

**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3015297

**Applicant Name:** John Feit, Schemata Workshop, Inc., for The Velmeir Companies and CVS/ Pharmacy, Inc.

**Address of Proposal:** 2100 N 45<sup>th</sup> Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow an approximately 4,000 sq. ft. retail addition to existing 8,580 sq. ft. retail commercial building (for 12,580 sq. ft. total). Parking area to be restriped and landscaped; twenty four parking spaces to remain.

The following approval is required:

**SEPA - Environmental Determination** - Chapter 25.05, Seattle Municipal Code.

**SEPA DETERMINATION:** ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS  
☒ DNS with conditions  
☐ DNS involving non-exempt grading or demolition or  
involving another agency with jurisdiction.

**BACKGROUND DATA**

**Site and Vicinity Description**

The site is split zoned NC2P-40/NC2-40 and partially abuts Single Family 5000 on the east. Properties to the east and west across Meridian Avenue N., as well as directly south on the other side of N. 45<sup>th</sup> Street, are zoned NC2P-40. The southernmost of the three lots that comprise the development site is currently occupied with a single-story commercial building located at the northeast corner of N. 45<sup>th</sup> and Meridian Avenue N., and which extends along both N. 45<sup>th</sup> Street and Meridian Avenue N. To the north of the building the other two lots that comprise the development site are occupied by a surface parking lot that accomodates 24 parking spaces.



In general, development in this area of the Wallingford neighborhood and the vicinity east and west of the site and along both sides of N. 45<sup>th</sup> Street is primarily a ribbon of small, low commercial buildings, with some commercial uses tucked into structures that formerly were used as single-family residences. The commercial strip extends a single lot, sometimes two, both north and south from N. 45<sup>th</sup> Street. Beyond that strip, development consists primarily of older, bungalow-style homes with pockets of more recent, low-rise, town-house units.

The steepest slope on site rises at the northeast edge of the parking area where previous grading to enable a flat parking surface required installation of a retaining wall nearly 8-feet in height. The wall marks the boundary between the NC2-40 zone and the Single-family (SF5000) zone to the east.

Landscaping will be provided on site per plan to enhance the parking area and street improvements including street trees will be required. The selection and placement of the street trees will meet the requirements of the City Landscape Architects Office, Seattle Department of Transportation.

### Proposal Description

The applicant proposes to construct an addition to an existing 1-story building to create a partial second story and additional space at the back (north façade). The resulting structure will be approximately 12,580 square feet in size. The existing parking lot will be reconfigured with new landscaping and striping for vehicle parking. A total of twenty four parking spaces (the same number as now exists) will be provided. Pedestrian access to the retail store will be from both the parking area and N. 45<sup>th</sup> Street. Vehicular access to and exiting from parking, as well as provisions for loading will be provided via two curb cuts along Meridian Avenue N.

### Public Comments

Six comment letters were received during the public comment period which ended on January 8, 2014. Among the comments repeated were opinions expressed about the size of retail use being too large and out of keeping with other uses in the neighborhood and there being a surfeit of similar uses in the neighborhood.

### ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the annotated environmental checklist dated November 26, 2013, and supplemental information in the project file submitted by the applicant. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

Seattle Municipal Code (SMC) Section 25.05.665(D), the SEPA Overview Policy, clarifies the relationship among codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Per SMC 25.05.665 D 1-7, mitigation can be considered for specified limitations and/or circumstances. Therefore, a more detailed discussion of some of the anticipated impacts is appropriate.

### Short - Term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during construction; potential soil erosion during excavation and general site work; increased runoff; tracking of mud onto adjacent streets by construction vehicles; increased demand on traffic and parking from construction equipment and personnel; conflict with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, obstruction of the rights-of-way during construction, construction along the street right-of-way, and sidewalk repair); Building Code (construction standards in general); and Noise Ordinance (construction noise that is permitted in the city). Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of potential adverse impacts. Thus, mitigation pursuant to SEPA is not necessary for these impacts.

### Greenhouse Gas Emissions

Construction activities, including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves, result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

### Long - Term Impacts

Long-term or use-related impacts are also anticipated from the proposal: a modest increase in bulk on the site; minor increases in ambient noise due to increased human activity; possible increased demand on public services and utilities; and possibly increased energy consumption. Compliance with existing codes and ordinances will be adequate to achieve sufficient mitigation of potential adverse impacts. Thus, mitigation pursuant to SEPA is not necessary for these impacts.

### Greenhouse Gas

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

### Traffic and Parking Impacts

The proposal will provide 24 vehicle parking spaces adjacent the structure. *Bicycle parking spaces, in the quantity required per SMC 23.54.0155.K, will be provided within the parking area.* The site qualifies for the transit parking reduction per SMC 23.45.020.F.2.a, and the parking provided is intended adequately to meet the demands for staff and customer parking.

It is noted that there is a high demand for additional on street parking in the immediate neighborhood as there is in other areas of the City. The project will not introduce more demand for street parking into the neighborhood, however, since the on-site surface parking spaces will remain consistent with previous uses. Given the lack of evidence of any real impacts on the availability of on-street parking attributable to this proposal, no mitigation is warranted.

Review of the parking plan has produced concerns that a vehicle utilizing the parking space nearest the entry to the parking space must, in maneuvering to exit, back onto the pedestrian path in the right-of-way, creating an avoidable hazardous situation for pedestrians on the public sidewalk. Since the location of the parking space lies directly adjacent to a zoned pedestrian overlay area and since this hazardous situation could be easily avoided by striping the space for loading of a handicapped parking space that could easily be relocated here, or by eliminating the parking space altogether, this decision will be conditioned to allow for either amelioration of the perceived hazard.

Any long-term impacts identified for the project are typical of neighborhood commercial development and are not considered significant because they are within the scope of those impacts anticipated by the zoning and/or relatively minor in scope. The use is consistent with the current zoning and compatible with the surrounding commercial uses. Codes and development regulations applicable to this proposed project will provide sufficient mitigation of long term impacts and no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.030).

### **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency and was based on a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 (2)(C).

[ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

### **CONDITIONS**

#### **Prior to Issuance of any Permit to Construct**

1. Either eliminate the first parking space at the left of the entry to the parking lot, or relocate one of the handicapped parking spaces and utilize the first parking space as a striped unloading area for the handicapped parking space.

Signature: \_\_\_\_\_ (signature on file) Date: June 23, 2014  
Michael Dorcy, Senior Land Use Planner  
Department of Planning and Development

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